

# EXHIBIT A

PART 1 OF 2

***United States v. Charlie Javice and Olivier Amar***

## ***United States v. Charlie Javice and Olivier Amar***

- 
- 1 What the Evidence Has Shown**
  - 2 Ten Reasons You Know the Defendants Are Guilty**
  - 3 The Charges and the Law**

## ***United States v. Charlie Javice and Olivier Amar***

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- 1** What the Evidence Has Shown
-  **2** Ten Reasons You Know the Defendants Are Guilty
- 3** The Charges and the Law



## ***United States v. Charlie Javice and Olivier Amar***

**1**

**What the Evidence Has Shown**

**2**

**Ten Reasons You Know  
the Defendants Are Guilty**



**3**

**The Charges and the Law**

## The Charges Against the Defendants

Count	Charge
1	Conspiracy to Commit Wire and Bank Fraud
2	Wire Fraud
3	Bank Fraud
4	Securities Fraud



## **Ten Reasons You Know the Defendants Are Guilty**

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## **Ten Reasons You Know the Defendants Are Guilty**

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- 1. The Defendants Told Lies Together During Diligence**

## The Defendants Told Lies Together During Diligence



**Leslie  
Wims Morris**

**Q.** How did she define "user"?

**A.** "User" was defined as someone who signed up for her service, so someone who signed up and entered their first name, last name, telephone number, and e-mail address.

Trial Tr. 570:6-9

## The Defendants Told Lies Together During Diligence



Alex  
Sweeney

**A.** She consistently represented that Frank had 4.25 million customers that it signed up for the product.

**Q.** And did she define the customer user?

**A.** Yes.

**Q.** How did Ms. Javice define that?

**A.** She defined a customer as a person that came to the Frank, provided their first name, last name, email address, and phone number, and accepted the terms of the Frank service, and signed up for an account.

Trial Tr. 1450:10-18

## The Defendants Told Lies Together During Diligence



**Mason  
Young**

**Q.** What did you understand a customer of Frank to mean?

**A.** Someone who had established an account with Frank through providing **name, email, and phone number.**

**Q.** How many customers did you understand Frank to have?

**A.** A little over **4 million** at the time we did diligence.

Trial Tr. 2111:14-18



## The Defendants Told Lies Together During Diligence

**Houston  
Cowan**

**Q.** When the management presentation said Frank had 4.25 million users, what was a Frank user?

**A.** A Frank user was someone who went through this flow, put in their first name, last name, email address, had gone through the one-time password flow. That was our understanding in how it was defined.

Trial Tr. 156:15-20



## The Defendants Told Lies Together During Diligence

**From:** Charlie Javice <[charlie@withfrank.org](mailto:charlie@withfrank.org)>

**Sent:** Wednesday, June 30, 2021 12:12 AM

**To:** Koskovolis, Luke <[LKoskovolis@liontree.com](mailto:LKoskovolis@liontree.com)>; Cowan, Houston <[HCowan@liontree.com](mailto:HCowan@liontree.com)>

**Cc:** Agarwal, Nikhil <[nagarwal@liontree.com](mailto:nagarwal@liontree.com)>; Matt Glazer <[matt@withfrank.org](mailto:matt@withfrank.org)>; Michael, Alex <[AMichael@liontree.com](mailto:AMichael@liontree.com)>

**Subject:** Re: Mason comments

Users as defined are accounts.

## The Defendants Told Lies Together During Diligence

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 8/4/2021 8:10:21 PM  
**To:** Wims Morris, Leslie [leslie.wimsmorris@chase.com]; Sweeney, Alex [alex.sweeney@chase.com]  
**BCC:** Braun, Ben [bbraun@liontree.com]  
**Subject:** Draft Internal data counts  
**Attachments:** Finland\_internaldata\_counts.pdf

### Data Variable Validation Request Details

How many UNIQUE customer accounts exist?	4,265,085
Of those records, what % include each data field below?	



## The Defendants Told Lies Together During Diligence

**Sindhu  
Subramaniam**

**Q.** How, if at all, did Ms. Javice define a user?

**A.** She defined a user as someone with a first name, last name, e-mail address, and a phone number.

Trial Tr. 2297:15-17

## The Defendants Told Lies Together During Diligence

**Sindhu  
Subramaniam**

**Q.** How many such users did Ms. Javice say Frank had, if she said so at all?

**A.** 4.25 million.

Trial Tr. 2297:18-25

## The Defendants Told Lies Together During Diligence

**Sindhu  
Subramaniam**

**Q.** At this meeting, was there discussion of Frank's website visitors?

**A.** Yes.

**Q.** Who addressed that topic on behalf of Frank?

**A.** Charlie again.

. . .

**Q.** What was that number?

**A.** 35 million.

Trial Tr. 2297:21-25, 2299:5-6





## The Defendants Told Lies Together During Diligence

**From:** Shpiro, Adam (CCB, USA) [/O=CORPEXCHANGE/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=F624956D33]  
**Sent:** 7/11/2021 10:20:11 PM  
**To:** Shpiro, Adam (CCB, USA) [adam.shpiro@jpmorgan.com]; Subramaniam, Sindhu (CCB, USA)

**Subject:** Project Finland: Product Diligence (including Demo for entire Working Group)  
**Location:** Zoom Meeting ID: 506 506 6506 or adamshpiro  
  
**Start:** 7/12/2021 12:00:00 PM  
**End:** 7/12/2021 2:00:00 PM  
**Show Time As:** Busy

## The Defendants Told Lies Together During Diligence

Location: Zoom Meeting ID: 506 506 6506

DT	MEETING_ID	MEETING_NUMBER	HOST_EMAIL	START_TIME	END_TIME	USERNAME	JOIN_TIME	LEAVE_TIME	PADDR	EMAIL
7/12/2021	PITMDwyTXmTxJyOhCsT4w==	5065066506	adam.shapiro@jpmorgan.com	7/12/21 11:55	7/12/21 14:01	Olivier Amar	7/12/21 13:05	7/12/21 14:01	74.108.127.60	

USERNAME	JOIN_TIME	LEAVE_TIME
Olivier Amar	7/12/21 13:05	7/12/21 14:01



## The Defendants Told Lies Together During Diligence



**Mason  
Young**

**Q.** Did it matter to Capital One who, from the target company, provided answers to Capital One's questions?

**A.** Yes. We clearly want the most knowledgeable person who could provide us with accurate data during diligence.

Trial Tr. 2284:22-25

## The Defendants Told Lies Together During Diligence



**Mason  
Young**

**Q.** And who did you understand, from the diligence process, to be most knowledgeable about issues such as customer acquisition at Frank?

**A.** Mr. Amar

Trial Tr. 2285:1-4

## Amar Lies at the July 8th Meeting

**From:** RAHUL JINDAL <rahul.jindal@capitalone.com>

**Sent:** Wednesday, July 7, 2021 2:29 PM

**To:** Cowan, Houston <HCowan@liontree.com>

**Cc:** Amanda Christianson <amanda.christianson@capitalone.com>; Agarwal, Nikhil <nagarwal@liontree.com>; Mason Young <mason.young@capitalone.com>; Koskovolis, Luke <LKoskovolis@liontree.com>; Florian Cotera <florian.coteraberndt@capitalone.com>; Michael, Alex <AMichael@liontree.com>

**Subject:** Re: [External Sender] RE: Call w/ Charlie & mgt. meetings

Hi Houston,

I hope that this email finds you well. Appreciate you organizing time with the team yesterday, following on from that meeting, we had some follow on

questions and thought it would be best to address them

Topics we would like to discuss:

directly with Olivier on a 30 mins call today, if possible.

we had some follow on

## Amar Lies at the July 8th Meeting

**From:** Google Calendar[calendar-notification@google.com]

**Location:** <https://liontree.zoom.us/j/96008339258>

**Importance:** Normal

**Subject:** Accepted: Project Frontier Discussion with Capital One @ Thu Jul 8, 2021 12:30pm - 1pm (EDT) (Cowan, Houston)

**Start Time:** Thur 7/8/2021 4:30:00 PM Coordinated Universal Time

**End Time:** Thur 7/8/2021 5:00:00 PM Coordinated Universal Time

**Required Attendees:** Cowan, Houston

**Attachment:** invite.ics

**olivier@withfrank.org** has accepted this invitation.

### Project Frontier Discussion with Capital One

**When** Thu Jul 8, 2021 12:30pm – 1pm  
Eastern Time - New York

**Where** <https://liontree.zoom.us/j/96008339258>



## Amar Lies at the July 8th Meeting

**From:** Google Calendar[calendar-notification@google.com]

**Location:** <https://liontree.zoom.us/j/96008339258>

**Importance:** Normal

**Subject:** Accepted: Project Frontier Discussion with Capital One @ Thu Jul 8, 2021 12:30pm - 1pm (EDT) (Cowan, Houston)

**Start Time:** Thur 7/8/2021 4:30:00 PM Coordinated Universal Time

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**Required Attendees:** Cowan, Houston

DT	MEETING_ID	MEETING_NUMBER	HOST_EMAIL	START_TIME	END_TIME	USERNAME	JOIN_TIME	LEAVE_TIME	IPADDR	EMAIL
7/8/2021	ZrM0BBg4QW2+Lmwx67Y2TQ==	96008339258	hcowan@liontree.com	7/8/21 16:28	7/8/21 17:09	Olivier Amar	7/8/21 16:29	7/8/21 17:09	208.105.5.114	
7/8/2021	ZrM0BBg4QW2+Lmwx67Y2TQ==	96008339258	hcowan@liontree.com	7/8/21 16:28	7/8/21 17:09	XXXXXXX-9314	7/8/21 16:30	7/8/21 17:09	64.125.62.48	

START_TIME	END_TIME	USERNAME	JOIN_TIME	LEAVE_TIME
7/8/21 16:28	7/8/21 17:09	Olivier Amar	7/8/21 16:29	7/8/21 17:09
7/8/21 16:28	7/8/21 17:09	XXXXXXX-9314	7/8/21 16:30	7/8/21 17:09



## Amar Lies at the July 8th Meeting

### Frank FAFSA Completions Breakdown

Frank's marketing spend focused on FAFSA has decreased from ~\$122K in the first 5 months of 2019 to ~\$39K in the first 5 months of 2020; Currently \$0 of marketing spend is focused on FAFSA spend

(3.1.4 in VDR)



Note: Marketing spend related to FAFSA in 2020 only occurred in January, February and March; no marketing spend related to FAFSA in 2021YTD

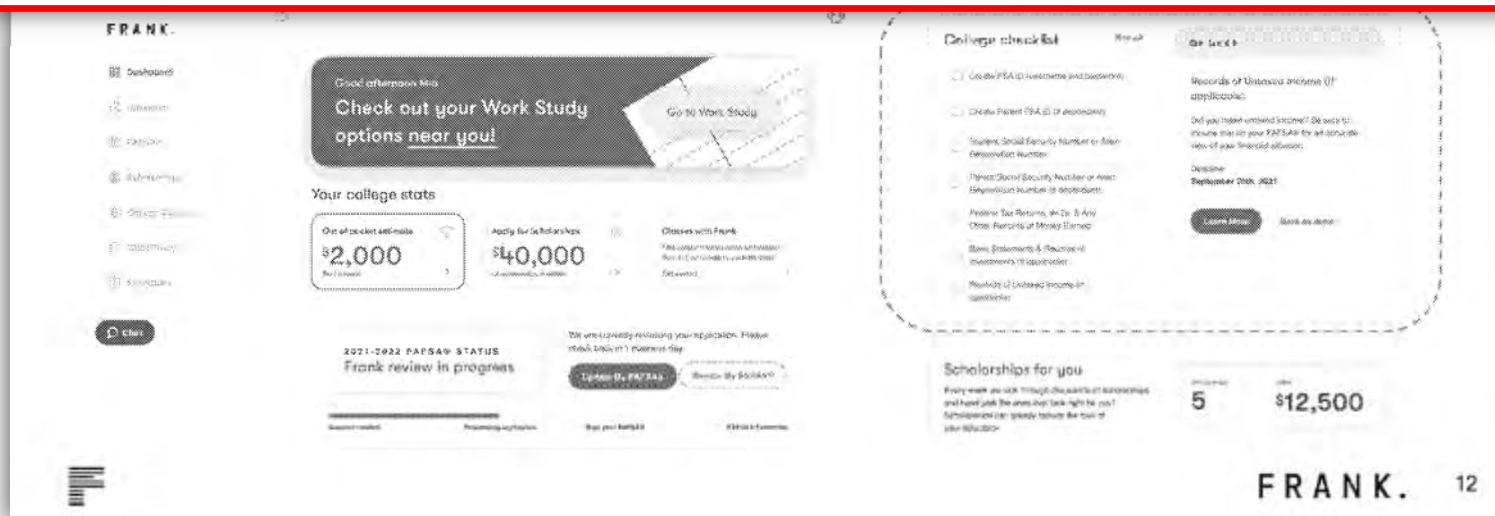
FRANK.

10

## Amar Lies at the July 8th Meeting

### How Frank Engages Users

Engagement happens at the checklist level of the dashboards where Frank pushes notifications via texts and emails to bring students back upon action required (e.g. new job opportunities, new courses added, new content alerts, etc.)



## Amar Lies at the July 8th Meeting

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**From:** Koskovolis, Luke [LKoskovolis@liontree.com]  
**on behalf of** Koskovolis, Luke <LKoskovolis@liontree.com> [LKoskovolis@liontree.com]  
**Sent:** 7/8/2021 7:10:47 PM  
**To:** Charlie Javice [charlie@withfrank.org]; 'Olivier Amar' [olivier@withfrank.org]  
**CC:** LT-ProjectFrontier@liontree.com  
**Subject:** Follow ups from Cap One Meeting  
**Attachments:** Project Frontier Capital One Meeting Follow-Up (07.08.2021).pdf

- Is it possible to determine the number of FAFSAs that Frank users have filed? i.e. out of the 2.1mm FAFSA users we have, how many FAFSAs have all those people filed combined?

## **Ten Reasons You Know the Defendants Are Guilty**

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- 1. The Defendants Told Lies Together During Diligence**
- 2. The Defendants Created the Fraud Spreadsheet Together**

## The Defendants Created the Fraud Spreadsheet Together

FAFSA In Process

4,265,085

## The Defendants Created the Fraud Spreadsheet Together



**Jen  
Wong**

**Q.** Ms. Wong, putting aside the spreadsheet for a moment, could a user start a FAFSA application using Frank's tool without creating a Frank account?

**A.** No.

Trial Tr. 1088-1089:23-1



## The Defendants Created the Fraud Spreadsheet Together

FAFSA In Process

4,265,085

## The Defendants Created the Fraud Spreadsheet Together

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 6/24/2021 7:40:22 PM  
**To:** Agarwal, Nikhil [nagarwal@liontree.com]  
**CC:** Koskovolis, Luke [LKoskovolis@liontree.com]; Michael, Alex [AMichael@liontree.com]; Cowan, Houston [HCowan@liontree.com]  
**Subject:** Re: Mason comments

- Believe you had mentioned this on yesterday's call, but wanted to confirm again that the FAFSA count in column Q --> **fafsa in progress is account validated**

## The Defendants Created the Fraud Spreadsheet Together

FAFSA Completion

**2,100,184**



## The Defendants Created the Fraud Spreadsheet Together

CREATION DATE	FILE NAME	EDITORS	GX
06/24/2021	User_Breakdown	charlie@withfrank.org olivier@withfrank.org jen.wong@withfrank.org	G516 G517

## The Defendants Created the Fraud Spreadsheet Together

Year	Month of the year	Default Channel Grouping							Marketing Spend	
		All New Users	(Other)	Direct	Display	Email	Organic Search	Paid Search	Referral	Social media & Bing PPC
2017	3	8,658	3.0	1,038.0	11.0		221.0	7,186.0	87.0	112.0
	4	119,490	518.0	5,793.0	1,777.0		554.0	95,187.0	146.0	15,515.0
	5	150,274	96.0	5,459.0	824.0	455.0	890.0	140,021.0	223.0	2,306.0
	6	158,263	275.0	4,750.0	3,031.0	123.0	808.0	147,882.0	528.0	866.0
	7	158,920	1,373.0	4,722.0	3,629.0	1,104.0	1,068.0	145,099.0	1,555.0	370.0
				1,296.0	39.0	3,602.0	828.0	10,601.0	379.0	64.0
				6,418.0	4,433.0	2,820.0	922.0	22,600.0	3,110.0	328.0
				41,104.0	10,971.0	2,278.0	3,161.0	236,112.0	5,061.0	873.0
				35,231.0	4,614.0	443.0	3,379.0	224,204.0	999.0	372.0
				17,498.0	639.0	163.0	3,657.0	91,659.0	882.0	234.0
				50,567.0	12,512.0	1,959.0	5,829.0	234,243.0	3,539.0	514.0
				15,175.0	7,866.0	1,030.0	6,069.0	66,795.0	793.0	446.0
				6,256.0	391.0	375.0	10,597.0	14,422.0	731.0	432.0
				3,246.0	80.0	229.0	12,592.0	442.0	670.0	283.0
				2,207.0	39.0	73.0	12,909.0	214.0	540.0	245.0
	6	14,993	144.0	1,913.0	22.0	56.0	11,667.0	138.0	669.0	384.0
	7	18,961	49.0	2,117.0	9.0	53.0	15,675.0	84.0	732.0	242.0
	8	36,632	343.0	3,292.0		1,035.0	25,920.0	4,929.0	828.0	285.0
	9	58,963	462.0	6,656.0	8,078.0	121.0	27,518.0	13,723.0	2,106.0	299.0
	10	73,234	289.0	6,897.0	361.0	45.0	45,760.0	15,302.0	3,967.0	613.0
	11	45,408	107.0	4,654.0	77.0	144.0	33,461.0	5,307.0	1,276.0	382.0
	12	47,312	66.0	3,307.0	39.0	96.0	33,962.0	8,456.0	1,005.0	381.0



**GX G516**

## The Defendants Created the Fraud Spreadsheet Together

11:00 AM

2:15 PM



11:06:11

Javice emails  
"User\_Breakdown\_C  
J\_v2" to Liontree  
GX3010

All times are in EDT.

## The Defendants Created the Fraud Spreadsheet Together

---

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 6/24/2021 3:06:11 PM  
**To:** Koskovolis, Luke [LKoskovolis@liontree.com]; Michael, Alex [AMichael@liontree.com]; Cowan, Houston [HCowan@liontree.com]  
**Subject:** Re: Mason comments  
**Attachments:** User\_Breakdown\_CJ\_v2.xlsx

Attached with users by attributed product and FAFSA completion.

--> How far out do you want projections? Is it just user projections or need the whole mix here?

--> Will overlap the retention for the platform this afternoon.

Charlie

FAFSA In Process

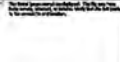
4,265,085




## The Defendants Created the Fraud Spreadsheet Together

**From:** Charlie Javice (via Google Sheets) [drive-shares-dm-noreply@google.com]  
**on behalf of** Charlie Javice (via Google Sheets) <drive-shares-dm-noreply@google.com> [drive-shares-dm-noreply@google.com]  
**Sent:** 6/24/2021 5:57:43 PM  
**To:** [olivier@withfrank.org](mailto:olivier@withfrank.org)  
**Subject:** Spreadsheet shared with you: "User\_Breakdown\_CJ\_v2"

[charlie@withfrank.org](mailto:charlie@withfrank.org) shared a spreadsheet

 [charlie@withfrank.org](mailto:charlie@withfrank.org) has invited you to **edit** the following spreadsheet:

 [User\\_Breakdown\\_CJ\\_v2](#)

## The Defendants Created the Fraud Spreadsheet Together



Call between Javice and Amar

**1:56:20 pm – 2:01:25 pm**

Duration: 5 minutes and 5 seconds

GX902, 903, 925

11:00 AM

2:15 PM



**11:06:11**

Javice emails  
"User\_Breakdown\_C  
J\_v2" to Liontree  
GX3010



**1:57:43 pm**

Javice shares  
"User\_Breakdown\_CJ\_v2  
" with Amar  
GX1678



**1:58:07 pm**

Amar views  
"User\_Breakdown\_CJ\_v2"  
GXG521

All times are in EDT.

## The Defendants Created the Fraud Spreadsheet Together



Call between Javice and Amar

**1:56:20 pm – 2:01:25 pm**

Duration: 5 minutes and 5 seconds

GX902, 903, 925

11:00 AM

2:15 PM



**11:06:11**

Javice emails  
"User\_Breakdown\_C  
J\_v2" to Liontree  
GX3010



**1:57:43 pm**

Javice shares  
"User\_Breakdown\_CJ\_v2  
" with Amar  
GX1678



**1:58:07 pm**

Amar views  
"User\_Breakdown\_CJ\_v2"  
GXG521



**1:58:49 pm**

Amar edits  
"User\_Breakdown\_CJ\_v2"  
GXG521

All times are in EDT.

## The Defendants Created the Fraud Spreadsheet Together



Call between Javice and Amar

**1:56:20 pm – 2:01:25 pm**

Duration: 5 minutes and 5 seconds

GX902, 903, 925

11:00 AM

2:15 PM



**11:06:11**

Javice emails  
"User\_Breakdown\_C  
J\_v2" to Liontree  
GX3010



**1:57:43 pm**

Javice shares  
"User\_Breakdown\_CJ\_v2  
" with Amar  
GX1678



**1:58:07 pm**

Amar views  
"User\_Breakdown\_CJ\_v2"  
GXG521



**1:58:49 pm**

Amar edits  
"User\_Breakdown\_CJ\_v2"  
GXG521



**2:02:01 pm**

Amar views  
"User\_Breakdown\_CJ\_v2"  
GXG521



**2:02:30 pm**

Javice renames  
"User\_Breakdown\_CJ\_v2"  
to  
"User\_Breakdown\_CJ\_v3"  
GXG521



**2:03:39 pm**

Javice emails  
"User\_Breakdown\_CJ\_v3"  
to Liontree  
GX3011

All times are in EDT.

# Ten Reasons You Know the Defendants Are Guilty

From: Charlie Javice [charlie@withfrank.org]  
 on behalf of Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
 Sent: 6/24/2021 6:03:39 PM  
 To: Koskovich, Luke [LKoskovich@liontree.com]; Michael, Alex [AMichael@liontree.com]; Cowan, Houston [HCowan@liontree.com]  
 CC: Agarwal, Nikhil [nagarwal@liontree.com]  
 Subject: Re: Mason comments  
 Attachments: User\_Breakdown\_CI\_v3.xlsx

The screenshot shows an Excel spreadsheet with multiple columns of financial data. A large red box is drawn over the 2019 and 2020 data sections, containing the text "FAFSA In Process" and the number "4,265,085". A red arrow points from the "User\_Breakdown\_CI\_v3.xlsx" attachment in the email header to the spreadsheet.

Year	Month	1	2	3	4	5	6	7	8	9	10	11	12	Total	Percentage
2019	1	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	12,000	100%
2020	1	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	12,000	100%
2021	1	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	12,000	100%

## The Defendants Created the Fraud Spreadsheet Together

CREATION DATE	FILE NAME	EDITORS	GX
06/24/2021	User_Breakdown	charlie@withfrank.org olivier@withfrank.org jen.wong@withfrank.org	G516 G517
06/24/2021	User_Breakdown_CJ_v4	charlie@withfrank.org olivier@withfrank.org	G520 G521

## **Ten Reasons You Know the Defendants Are Guilty**

---

- 1. The Defendants Told Lies Together During Diligence**
- 2. The Defendants Created the Fraud Spreadsheet Together**
- 3. The Defendants' Lies Were Important to Potential Buyers**

## The Defendants' Lies Were Important to Potential Buyers



**Sarah  
Youngwood**

**A. . . .** so what we were really buying was that customer list that would enable us then to do more with those engaged users, and so that was the rationale for the transaction.

Trial Tr. 1393-1394:25-3



## The Defendants' Lies Were Important to Potential Buyers



**Mason  
Young**

**Q.** Why was Capital One interested in acquiring Frank?

**A.** So for Frank specifically, Capital One was interested in acquiring a large audience of primarily young adults that we could engage with outside of financial products and services but over time cross-market Capital One's financial products to that audience.

Trial Tr. 2110-2111:25-4

## The Defendants' Lies Were Important to Potential Buyers

A dark blue circle containing the name "Houston Cowan" in white text.

**Houston  
Cowan**

**Q.** Well, financial products, what does it mean to sell them additional things in that context?

**A.** Throughout the process, my understanding was that financial institutions that were interested would leverage the data and users to then, you know, grow with that customer, providing them credit cards or, you know, bank accounts, whatever it might be, in that context.

Trial Tr. 153:7-11



## The Defendants' Lies Were Important to Potential Buyers



**Sarah  
Youngwood**

**A.** . . . but if somebody actually takes the time to give you information that is very personal and confidential, at that point you have established a level of trust that is relevant to continuing to do more with that relationship.

Trial Tr. 1395:9-13



## The Defendants' Lies Were Important to Potential Buyers

**Leslie  
Wims Morris**

**A.** So what I said to Ms. Javice in that conversation was, when we read the customer privacy policy, there was a specific sentence that said that they could share customer PII if in fact the company was going through a merger and acquisition process.

Trial Tr. 615-616:22-1



## **Ten Reasons You Know the Defendants Are Guilty**

---

- 1. The Defendants Told Lies Together During Diligence**
- 2. The Defendants Created the Fraud Spreadsheet Together**
- 3. The Defendants' Lies Were Important to Potential Buyers**
- 4. The Defendants Used Fake Data to Trick the Bank**



## The Defendants Used Fake Data to Trick the Bank



**Patrick  
Vovor**

She said she wanted to know if it could be easy, complex, meaning can it be done very fast, in a day or if it takes more time, to take our user base of about 300K users and grow it to 4 million users, and when doing so, keeping the same statistical distribution of people with college degree.

. . .

Trial Tr. 1529:15-20

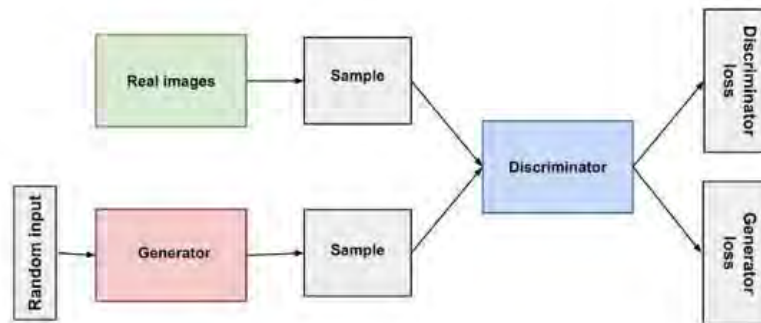
## The Defendants Used Fake Data to Trick the Bank

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 8/2/2021 11:38:27 AM  
**To:** Patrick Vovor [patrick@withfrank.org]  
**Subject:** Data set

### Generating Tabular Synthetic Data Using GANs

Vivek Maskara

Last updated on Dec 18, 2020 · 6 min read · Deep Learning, GANs



## The Defendants Used Fake Data to Trick the Bank

### Customer Data

First	Last	Age	Occupation	Street Address	City	State	Zip
John	Smith	21	Student	123 Main Street	New York	NY	10007



### Synthetic Data

First	Last	Age	Occupation	Street Address	City	State	Zip
Matt	Green	21	Student	321 Elm Street	New York	NY	10007

## The Defendants Used Fake Data to Trick the Bank

### Customer Data

First	Last	Age	Occupation	Street Address	City	State	Zip
John	Smith	21	Student	123 Main Street	New York	NY	10007



### Synthetic Data

First	Last	Age	Occupation	Street Address	City	State	Zip
Lesley							


### Synthetic Data

First	Last	Age	Occupation	Street Address	City	State	Zip
Katherine	Gordy	30	Student	GbozPn8RWxSPU	Upland	CA	91730

Andrew	Silva	20	Student	VPT10a9KC2H354	BROOKLYN	NY	11204	76053
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## The Defendants Used Fake Data to Trick the Bank

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**From:** charlie@withfrank.org [charlie@withfrank.org]  
**Sent:** 8/2/2021 4:04:55 PM  
**To:** patrick@withfrank.org; olivier@withfrank.org  
**Subject:** Updated invitation: olivier, patrick <charlie @ Mon Aug 2, 2021 12:15pm - 12:45pm (EDT) (patrick@withfrank.org)  
**Attachments:** invite.ics  
**Location:**   
**Start:** 8/2/2021 4:15:00 PM  
**End:** 8/2/2021 4:45:00 PM  
**Show Time As:** Busy  
  
**Recurrence:** (none)

## The Defendants Used Fake Data to Trick the Bank



**Patrick  
Vovor**

To take the FAFSA data that we had, that I had in my database, in the AWS cloud, and **generate a bigger file of 4 million users** that would have FAFSA data generated using the technique that we showed in the other document.

Trial Tr. 1561-1562:24-2

## The Defendants Used Fake Data to Trick the Bank

FAFSA in progress:  
4,265,085

FAFSA Completion:  
2,100,184

<u>Section</u>	<u>Variable</u>
Popup	STUDENT_FIRST_NAME
	STUDENT_LAST_NAME
	STUDENT_EMAIL
	STUDENT_PHONE_NUM
Personal	STUDENT_HOME_ADDR
	STUDENT_HOME_ADDR_APT
	STUDENT_BIRTHDAY

## The Defendants Used Fake Data to Trick the Bank

FAFSA in progress:  
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<u>Section</u>	<u>Variable</u>
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## The Defendants Used Fake Data to Trick the Bank

FAFSA in progress:  
4,265,085

FAFSA Completion:  
2,100,184

FAFSA In Process

4,265,085

FAFSA Completion

2,100,184



## The Defendants Used Fake Data to Trick the Bank



**Patrick  
Vovor**

**A.** I asked them if it was even legal, this request.

Trial Tr. 1575:14

## The Defendants Used Fake Data to Trick the Bank



**Patrick  
Vovor**

**A.** So I told them that I will not do anything illegal.

Trial Tr. 1576:13-14



## The Defendants Used Fake Data to Trick the Bank

P Patrick Vovor <patrick@withfrank.org> 8/2/2021, 6:33 PM  
so if i count users with no fafsa applications, we get ~293192 records

C Charlie Javice <charlie@tapd.us> 8/2/2021, 6:34 PM  
Exactly

C Charlie Javice <charlie@tapd.us> 8/2/2021, 6:34 PM  
Thx

## The Defendants Used Fake Data to Trick the Bank

Hey Adam! Hope ur  
doing well. Wanted to  
reach out to see if u  
happened to have time  
in the next couple days  
- I'm in an urgent pinch  
and wondering if u still  
do consulting work and  
still have time?

21:47





## The Defendants Used Fake Data to Trick the Bank

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 8/3/2021 1:39:33 PM  
**To:** Adam Kapelner [kapelner@gmail.com]  
**Subject:** Re: NDA for frank

Hi Adam,

The files below are the sample data & distribution info.

- **Applications\_v4:** raw sample data
- responses CSV: aid appeals sample raw data
- qualtrics apps v1: 2017-2019 sample data
- CJ\_PV\_FrontEnd\_UserData: for distributions and counts

Will forward you the s3 login link to access so you download post NDA. Thanks so much again!

Charlie



## The Defendants Used Fake Data to Trick the Bank

	Funnel Steps	Percent Complete	Fields	Number of Fields
Personal Info - First Name, Last Name, Email, Phone	100%	100.00%		4,265,085.00
Degree - Major, Year in School, Degree Level	93%	93.00%		3,966,529.05
School List - address, birthday, college list	97%	90.21%		3,847,533.18
Student Education - city of high school	92%	82.99%		3,539,730.52
Kill List A - military status, is married, number of kids	98%	81.33%		3,468,935.91
Parent Education	99%	80.52%		3,434,246.55
Independent Financial - cash assets, adjusted gross income	100%	80.52%		3,434,246.55
Independent Kill List B - student completed tax returns, investments, p	72%	57.97%		2,472,657.52
SSN & Gender - Is US citizen	99%	57.39%		2,447,930.94
Complete				2,100,184

## The Defendants Used Fake Data to Trick the Bank

	Funnel Steps	Percent Complete	Fields	Number of Fields
Personal Info - First Name, Last Name, Email, Phone	100%	100.00%		4,265,085.00
Degree - Major, Year in School, Degree Level	93%	93.00%		3,966,529.05
School List - address, birthday, college list	97%	90.21%		3,847,533.18
Student Education - city of high school	92%	82.99%		3,539,730.52
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SSN & Gender - Is US citizen	99%	57.39%		2,447,930.94
Complete				2,100,184

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).
10:27 AM	<b>Amar</b> shares the fake data instructions with <b>Javice</b>



## Knowledge of Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).
10:27 AM	<b>Amar</b> shares the fake data instructions with <b>Javice</b>
10:28 AM	<b>Javice</b> calls <b>Amar</b> (3.5 min)

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).
10:27 AM	<b>Amar</b> shares the fake data instructions with <b>Javice</b>
10:28 AM	<b>Javice</b> calls <b>Amar</b> (3.5 min)
10:37 AM	<b>Javice</b> texts <b>Amar</b>

## Amar Knew About Adam Kapelner

August 3, 2021		
Time (Eastern)	Sender	Message
10:37:18 AM	Javice	U don't have address in here. What's the drop off
10:37:34 AM	Javice	Same with birthday
10:37:43 AM	Amar	Because they don't have dropoff
10:37:49 AM	Javice	So what step
10:37:51AM	Amar	we eliminated them from the report

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).
10:27 AM	<b>Amar</b> shares the fake data instructions with <b>Javice</b>
10:28 AM	<b>Javice</b> calls <b>Amar</b> (3.5min)
10:37 AM	<b>Javice</b> texts <b>Amar</b>
1:49 PM	<b>Javice</b> sends <b>Kapelner</b> the fake data instructions

## Amar Knew About Adam Kapelner

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 8/3/2021 5:49:17 PM  
**To:** Adam Kapelner [kapelner@gmail.com]  
**Subject:** Fwd: Welcome to Amazon Web Services

here is the link. will share credentials offline.

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).
10:27 AM	<b>Amar</b> shares the fake data instructions with <b>Javice</b>
10:28 AM	<b>Javice</b> calls <b>Amar</b> (3.5min)
10:37 AM	<b>Javice</b> texts <b>Amar</b>
1:49 PM	<b>Javice</b> sends <b>Kapelner</b> the fake data instructions
2:15 PM	<b>Javice</b> and <b>Kapelner</b> speak

## Amar Knew About Adam Kapelner

August 3, 2021	
Time (Eastern)	Communication
9:00 AM	First call between <b>Javice</b> and <b>Kapelner</b> (11 min).
9:13 AM	<b>Javice</b> calls <b>Amar</b> (7 min).
10:27 AM	<b>Amar</b> shares the fake data instructions with <b>Javice</b>
10:28 AM	<b>Javice</b> calls <b>Amar</b> (3.5min)
10:37 AM	<b>Javice</b> texts <b>Amar</b>
1:49 PM	<b>Javice</b> sends <b>Kapelner</b> the fake data instructions
2:15 PM	<b>Javice</b> and <b>Kapelner</b> speak
2:30 PM	<b>Javice</b> texts <b>Amar</b>

## Amar Knew About Adam Kapelner

August 3, 2021		
Time (Eastern)	Sender	Message
2:30:07 PM	Javice	I found my genius. He says it will take him an hour
2:49:03 PM	Amar	Great



## Amar Knew About Adam Kapelner

August 3, 2021		
Time (Eastern)	Sender	Message
08:20:55 AM	Javice	Finished data at 2am
08:21:02 AM	Amar	How's it go?
08:21:50 AM	Javice	He did a fantastic job. Truly. We powered through together
08:22:03 AM	Javice	Fun getting to work with ur old stat professor :)

## The Defendants Used Fake Data to Trick the Bank

From: Charlie Javice [charlie@withfrank.org]  
 on behalf of Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
 Sent: 8/1/2021 2:23:11 PM  
 To: Olivier Amar [olivier@withfrank.org]  
 Subject: Fwd: Finland - key data questions

**From:** Charlie Javice [charlie@withfrank.org]  
**on behalf of** Charlie Javice <charlie@withfrank.org> [charlie@withfrank.org]  
**Sent:** 8/1/2021 2:23:11 PM  
**To:** Olivier Amar [olivier@withfrank.org]  
**Subject:** Fwd: Finland - key data questions

----- Forwarded message -----

**From:** Wims Morris, Leslie <leslie.wimsmorris@chase.com>  
**Date:** Sun, Aug 1, 2021 at 9:05 AM  
**Subject:** Finland - key data questions  
**To:** Charlie Javice <charlie@withfrank.org>

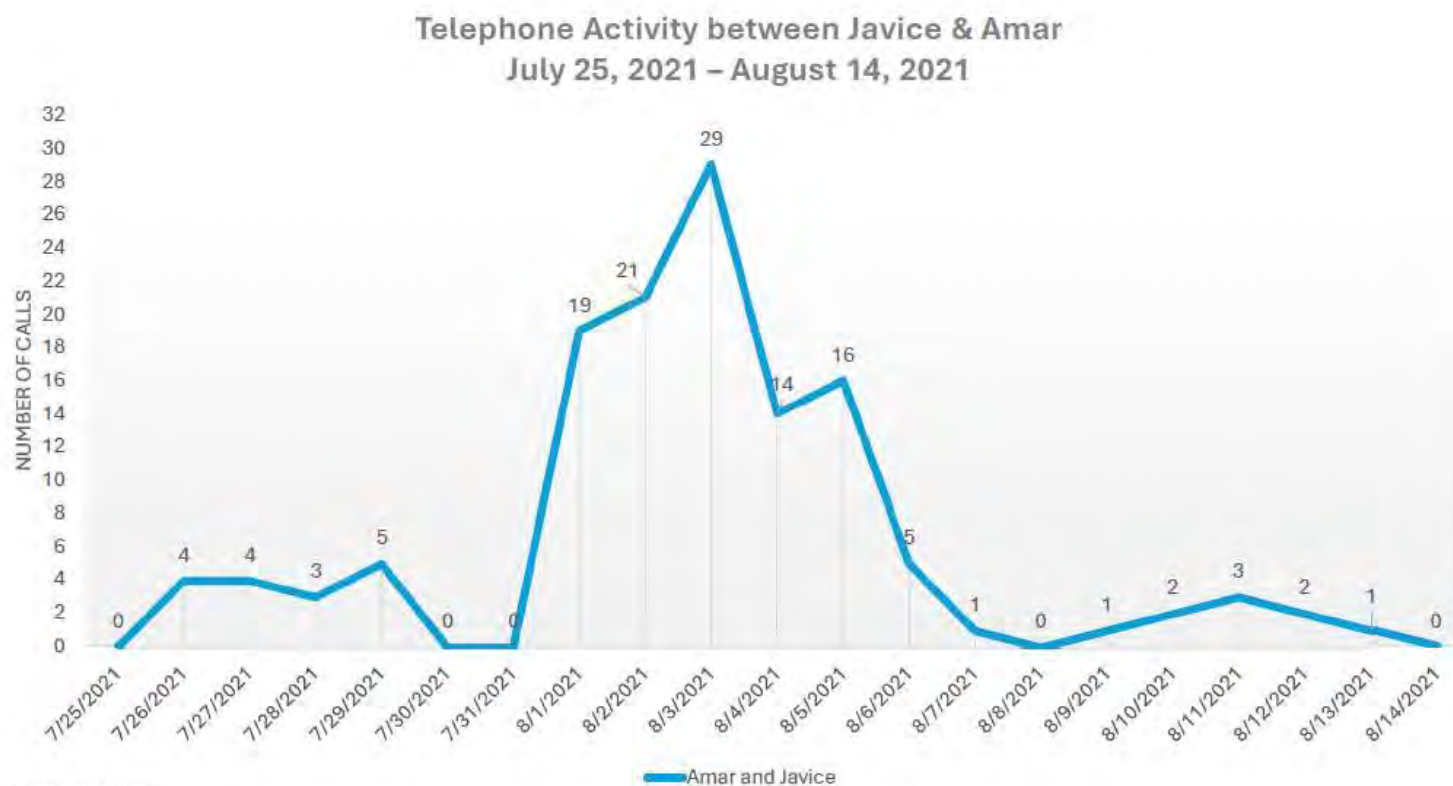
Personal	STUDENT LAST NAME
	STUDENT EMAIL
Personal	STUDENT PHONE NUM
	STUDENT HOME ADDR
	STUDENT HOME ADDR APT
	STUDENT BIRTHDAY
	APPLICATION YEAR

**GOVERNMENT  
EXHIBIT  
1147**  
 5123 Cr. 231 (AOH)

FOIA Confidential Treatment Requested by JPMorgan Chase Bank, N.A.  
 CONFIDENTIAL

JPMO\_6841134  
 ECAO Doc 00001962

## The Defendants Used Fake Data to Trick the Bank



Sources: GX 902, 903, 925,  
and 931



## The Defendants Used Fake Data to Trick the Bank

ACXIOM RESULTS			
STUDENT_FIRST_NAME	4,265,085	4,265,085	100.00%
STUDENT_LAST_NAME	4,265,047	4,265,085	100.00%
STUDENT_EMAIL	4,265,085	4,265,085	100.00%
STUDENT_PHONE_NUM	4,265,085	4,265,085	100.00%
STUDENT_HOME_ADDR	3,847,533	4,265,085	90.21%
STUDENT_BIRTHDAY	3,847,533	4,265,085	90.21%
STUDENT_MAJR_INTRST	2,088,875	4,265,085	48.98%
YEAR_OF_SCHOOL	3,966,529	4,265,085	93.00%
DEGREE_LEVEL	3,966,529	4,265,085	93.00%
CITY_OF_HIGH_SCHOOL	3,539,731	4,265,085	82.99%
STUDENT_IS_MARRIED	3,468,936	4,265,085	81.33%
HAS_CHILDREN	3,468,936	4,265,085	81.33%
MILITARY_STATUS	3,468,936	4,265,085	81.33%
PARENT_NUM_CHILDREN_FIN_SUPP	3,468,936	4,265,085	81.33%
STUDENT_COMPLETED_TAX_RETURN	2,472,658	4,265,085	57.97%
STUDENT_EARNINGS_WORKING	3,434,247	4,265,085	80.52%
STUDENT_CASH_ASSETS	3,434,247	4,265,085	80.52%
NET_WORTH_STUDENT_INVESTMENTS	2,472,658	4,265,085	57.97%
IS_US_CITIZEN	2,447,931	4,265,085	57.39%
STUDENT_ADJUSTED_GROSS_INCOME	3,434,247	4,265,085	80.52%
NUM_OF_SCHOOLS_TO_SEND_FAFSA	3,847,533	4,265,085	90.21%



## **Ten Reasons You Know the Defendants Are Guilty**

---

- 1. The Defendants Told Lies Together During Diligence**
- 2. The Defendants Created the Fraud Spreadsheet Together**
- 3. The Defendants' Lies Were Important to Potential Buyers**
- 4. The Defendants Used Fake Data to Trick the Bank**
- 5. The Defendants Bought Data to Cover Their Tracks**

## The Defendants Data to Cover Their Tracks

**From:** Charlie Javice  
**Sent:** Monday, August 2, 2021 12:01 PM  
**To:** Tani Ochs  
**Subject:** Re: My Contact Information



## The Defendants Bought Data to Cover Their Tracks



**Tani  
Ochs**

A dark blue circle containing the name 'Tani Ochs' is connected by a thin dark blue line to a white rectangular text box on the right. The line starts at the top of the circle, goes up, then right, then down, and finally right into the top of the text box.

**A.** That she was looking for a student marketing list and it needed to contain e-mail.

Trial Tr. 910:8-9

## The Defendants Bought Data to Cover Their Tracks



**Tani  
Ochs**

**Q.** And when did she say that she wanted to purchase that student data by?

**A.** She didn't give me an exact date but she did make it clear that a decision would be made pretty rapidly.

Trial Tr. 908-909:25-3